

Staff Variance Report  
For  
June 5, 2012 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“T” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: *All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.*

**Tabled Variances:**

- |          |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12-2-35  | C | <p><b>Mucky Duck Pub - Indianapolis</b></p> <p><i>The code required sprinkler system will not be provided for this facility. The code requires that a sprinkler system be installed for an A-2 occupancy that exceeds 5,000 sq. ft. or has an occupant load in excess of 100 or the fire area is on another floor other than the main level of exit discharge. The proponent does not state which of these items they exceed. The proponent advises that they have undertaken alternative actions, one being installing a 3 hour fire door between the two rooms; they have maintained the firewall construction with the door and that the second room is only used on weekend nights for limited hours. They have also installed a self closing door and two additional exit points on each end of the space. The hardship is the cost of the sprinkler would shut them down, according to the bids but no bids were submitted with the variance information.</i></p> <p><b>Tabled to provide Commission more detailed drawings to show the existing space with dimensions and the dimensions for the existing space.</b></p> |
| 12-03-46 | C | <p><b>The Awakening Community Church – Huntington</b></p> <p>The code required sprinkler system will not be provided for the A-3 occupancy. The drawing shows there is seating for 377 and an occupant load of 626 people in the sanctuary. They drawings show that there is more than one level, but the drawing does not show if it is a second level or lower level. The drawings also show that there is a coffee shop in the church lobby and a large kitchen with hood system. The hardship is that the city water is approximately ½ mile away along US 24. Commission to discuss.</p> <p><b>Tabled at the request of the proponent to get more information. Tabled to make design comply with existing regulations of the current code. Tabled at May meeting for applicant to come back with alternatives and more detailed drawings for the fire area.</b></p>                                                                                                                                                                                                                                                        |

- 12-05-8 CI **North Park Community Church – Ft. Wayne** Project #354921  
*The code required sprinkler system will not be provided in the existing church of 6,115 sq. ft. with the new addition of 3,591 sq. ft., causing the occupant load to be increased to a total of 700. Code requires sprinklers to be installed in churches with occupant loads in excess of 300. Are the alternatives enough to offset the danger to the parishioners? The hardship is the cost of the sprinkler system, which is estimated to be \$125,000.00 and the project is estimated to be approximately \$350,000.00. Tabled to provide a written estimate for the sprinkler system and for the architect attend the June meeting.*
- 12-05-12 C **The Well, United Brethren in Christ Church – Huntington – Renovation**  
*The code required sprinkler system will not be provided for the church that will have an occupant load in excess of 300 after the renovation. The proponent has advised that they will install a monitored fire alarm and detection system that will notify local fire officials as well as individuals in case of fire or emergency. The proponent advises that this was previously an “M” occupancy that is being changed to an “A-3”. The hardship is the cost of the sprinkler system and bringing the water to the site. The proponent advises that they have a quote of \$80,000.00 for the sprinkler system, \$50,000.00 for the pumping system and an estimate of approximately \$50,000.00 to \$60,000.00 to bring the water to the site. Commission to discuss. Tabled so proponent can bring Chapter 34 analysis to show where points are lost and the current property owner to sign application.*
- 12-05-20 AI **May Residence Windows – Bloomington**  
*The emergency escape windows do not meet the requirements of the code of record. The code of record calls for the windows to be openable to 4.75 sq. ft., have a minimum opening height of 24”, a minimum opening width of 18” and a maximum sill height of 44”. The current windows are openable to 3.84 sq. ft., have an opening height of 20.5”, an opening width of 27” and a sill height of 31”. Tabled at the request of the proponent so they can complete variance packet information.*
- 12-05-21 CI **DOT Foods – Cambridge City**  
*The fire code limits a single above ground tank to 10,000 gallons and the request is to install a 20,000 gallon tank. The proponent advises that they will install a UL2085 tank and all collision protection will be installed as well as compliant wiring. The hardship is the cost to install an underground tank would be approximately twice that of the above ground tank. Tabled at the request of the proponent.*
- 12-05-22 CI **Hendricks County Sports Complex – Softball Pavilion – Indianapolis**  
*The energy code will not be complied with for this structure. The proponent advises that the block walls for the rest rooms will not comply with the energy code envelope requirements and a Comcheck will not be submitted for the project since the entire building cannot pass. The building will have concessions, storage, an office and rest rooms on the 1<sup>st</sup> floor with an assembly space with an enclosed area and outdoor balcony dining. The 2<sup>nd</sup> floor will comply with the energy code envelope requirements when evaluated by component and will also comply with HVAC and lighting requirements. On the 1<sup>st</sup> floor, other than the restrooms, the space is unconditioned. The hardship is the*

cost to provide fully compliant design to meet the energy code. **Tabled at the request of the proponent.**

**New Variances:**

- 12-06-1      CI      **Lincoln Elementary School – Huntington**  
*Noncompliant drapery items will be used to make the classrooms more aesthetically pleasing to the students and less distracting.* The proponent advises that the fabric will be treated with flame retardant chemicals. The hardship is that the teachers have personally funded fabric in the classrooms over a period of nine years and to replace the fabric with compliant fabric would be cost prohibitive to the corporation teachers. How would the removal of the fabric would be detrimental to the learning of the students? Commission to discuss.
- 12-06-2      BI      **Purdue Northwest Athletics Complex, Phase I – West Lafayette Project #351077**  
*The code required manual fire alarm system with an emergency voice/alarm communication system will not be provided for the grandstand.* The proponent advises that this is an outdoor grandstand with limited combustible loading and the outdoor location will minimize the potential to build up dangerous levels of heat and smoke. The press box will be fully sprinklered and equipped with a fire alarm that complies with the code requirements for that portion of the stadium. The public address system, located in the press box, is available to make emergency announcements if needed. The hardship is providing a functioning emergency voice/alarm communication system with listed speakers for an outdoor stadium.
- 12-06-3      A      **Dow Agro Sciences Show Farm – Tent – Kirklin**  
*Three tents will be erected for longer than the code allowed 30 days.* The tents, one 40' X 80', one 20' X 30' and one 20' X 20', will be erected from 6/5/12 till 8/25/12. These tents will not be provided with sides so the public can exit in any direction. These tents are part of the Dow Agro Sciences Show Farm which will be open to the public from 7/9/12 till 8/25/12. The tents will provide relief to the public from the sun and weather during the events; they will also be used for meetings and presentations with the customers and employees. Similar variances have been granted in the past.
- 12-06-4      B      **A & M Woodworking – Millersburg**  
*The code required sprinkler system will not be provided for the wood working facilities.* The proponent advises that they will provide a dust collection system meeting the requirements of NFPA 664, 1998 Edition. The hardship is that there is no city water available nor is it likely that city water will become available in the near future. The cost associated with constructing a well and storage tank is approximately \$125,000.00. Subdividing the building into smaller areas with fire walls will not be a very effective for the manufacturing process, which is the primary purpose for the building. Similar variances have been approved in the past.

- 12-06-5      NVR      **Lizton "C" Store – Lizton**      Project #3546573  
*The code required vestibule will not be provided at the main entrance to the store. The proponent advises that they will provide a heat curtain at the entrance. The hardship is the high traffic during many periods of the time of operation will make access difficult. The plans show that the structure is 2,800 sq. ft., so no variance is required.*
- 12-06-6      DI      **Main Gate Restaurant and Sports Bar – Evansville**  
*The code required sprinkler system that the Commission approved a previous variance for, to delay the installation until May of 2012, will not be installed. The Commission approved variance 11-10-30 (a)(b)(c) for this facility. Variance (a) was to Section 508.3.3 for allowable height, (b) was to Section 903.2.1.2 for a sprinkler system and (c) was to Section 1019.1 for the number of exits. There was a condition added by the Commission that the sprinklers be installed by May 2, 2012, the 2<sup>nd</sup> floor apartment was to be used only as a 2<sup>nd</sup> exit for the 2<sup>nd</sup> floor until sprinklered. The occupancy of the 2<sup>nd</sup> floor was to be 49 persons. The mezzanine was to be used only for office space until the building is fully sprinklered and a 2<sup>nd</sup> compliant exit stairwell from the mezzanine was constructed. The proponent advises that the disruption of the business would be detrimental while the sprinkler system would be installed and the cost of the installation of the sprinkler system would also be detrimental to their profitability. The proponent has advised that they will install a monitored fire detection system, provide additional extinguishers, exit lighting and an additional stairway exit from the second floor in lieu of the sprinkler system.*
- 12-06-7      CI      **8335 Keystone Crossing – Office Building – Indianapolis**  
*There will be combustible piping (plastic) penetrating the non-rated floor systems in the Type IIB construction 3 story building and the code limits the penetration of non-rated horizontal assemblies by combustibles items to 2 story maximum. The proponent advises the building will be protected by an automatic sprinkler system per NFPA 13. The pipes penetrating the non-rated floors will be fire caulked in the annular space. The owner's undue hardship is the cost to provide fire rated shafts. There were no cost estimates provided. Commission to discuss.*
- 12-06-8(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)      **451 Market Street – Indianapolis**
- CI      (a) *The clothes dryer vents will exceed the code allowed 25 feet in length. The proponent advises that they will use an engineered system designed by a professional engineer. They do not give the length of the length of the vents or any information about the engineered system. The hardship involves the location of the dryers within the building and the code limitation on the maximum length allowed for the exhaust duct. Commission to discuss.*
- CI      (b) *The building and parking garage will be provided with an NFPA 13R sprinkler system and the building will have apartments and possible future retail, assembly or business spaces and the building is five stories and 61 feet in height, but the code only allows four stories and a maximum of 60 feet. The proponent advises that most of the building involves a 2 level podium structure constructed of Type IIA construction under most of the 5 stories. The apartment floors will have fire walls providing compartmentation which will also qualify as horizontal exits, reducing travel distance and*

increasing exit capacity. The dwelling units will be separated from each other with a one hour separation. The owner's undue hardship involves the cost to provide an NFPA 13 sprinkler system for the residential levels, including concealed spaces such as floor construction and attic. Commission to discuss.

- CI (c) *The five story mixed use facility will have a two story existing podium structure of concrete waffle slab that has a two hour beam and a one hour floor. The code limits podiums to one story and requires Type IA construction with a three hour slab to separate the stories.* The proponent advises that the first floor parking garage will have an NFPA 13 sprinkler system. The possible future retail, assembly and business uses will have an NFPA 13 sprinkler system. The second floor apartments within the podium will have an NFPA 13R sprinkler system with one hour apartment walls for dwelling separation and corridors will be one hour. The hardship is the cost to remove the existing structure or the difficulty in upgrading the existing concrete to a higher fire rating. Commission to discuss.
- CI (d) *The podium structure will have wood framed walls on the second floor for the apartments and the code requires the podium to be noncombustible materials.* The proponent advises that the second floor apartments will be sprinklered with an NFPA 13R system. The second floor will have two hour walls to divide up the floor into building areas. The dwelling units and corridor walls will be one hour construction. The hardship is the cost to provide steel studs when the apartment floors will be wood framed. What kind of 2 hour walls are they? Commission to discuss.
- CI (e) *The existing two story parking garage constructed of concrete waffle slab will be used for mixed use building consisting of parking, apartments and possible future uses of retail, assembly or business and the fire walls for the second floor apartments will not be structurally independent of the existing structure as required by code.* The two hour fire walls of wood studs and gypsum board will be supported by the second floor slab and terminate at the second floor ceiling (waffle slab). The waffle slab is two hour beam and one hour floor. The owner's undue hardship is the cost of providing a structurally independent fire wall. Commission to discuss.
- BI (f) *The fire walls terminating at exterior walls will have non-rated windows within four feet of the fire wall which is not allowed by code; code requires a minimum of ¾ hour fire rated opening protective's.* The proponent advises that the affected windows will have a sprinkler within twelve inches horizontally of the opening, maximum six feet on center, to provide a water curtain at the opening.
- CI (g) *The mixed use building will have a Type IIA podium structure for the first two floors and since the first floor is not Type IA construction and will have possible retail space, assembly or business use in the future, the code requires the fire walls for the apartment floors above to extend to the podium first floor and they will not.* The podium structure is an existing concrete waffle slab and the beam will meet the two hour fire rating, but the floor will only be approximately one hour. The hardship is the difficulty and inefficiency of having fire walls through the existing concrete waffle slab construction. Commission to discuss.
- BI (h) *The standpipe outlets will be located on the main stair landings rather than the code compliant intermediate stair landings.* The proponent advises that the Indianapolis Fire Department prefers the standpipe hose outlets to be located on the main landings of the stairs.

- AI (i) *PVC piping will be used for roof drainage system for the five story mixed use facility rather than the code compliant drainage system.* This is allowed in the proposed new Plumbing Code and has been allowed in the past.
- CI (j) *The code required attic access hatch of 20 X 40 inches will not be provided for the attic spaces in excess of 30 inches in height.* The proponent advises that these spaces will be intermittent and with the insulation would be very difficult to enter. The oversized hatch cannot be fire rated for a fire rated roof ceiling assembly. The hardship is the cost to provide a fire rated access hatch, which the proponent states do not exist, in every apartment and securing the openings so building tenants do not have access to the attic space. How will access be provided? Commission to discuss.
- AI (k) *The code required emergency showers, eyewash station, service sink, drinking fountains, lavatories, water closets, and urinals as required by Table 29 will not be provided.* The proponent advises that there will not be any vehicle repairs in the parking garage that would warrant the emergency showers or eyewash stations or any other plumbing fixtures. Similar variances have been approved in the past.
- CI (l) *The code required fire rating for the exterior walls of the 5 story sprinklered building will only be fire rated on the interior of the walls rather than the code required both sides of the wall.* The upper floors are of Type VA construction. The proponent advises they will undertake alternatives. Are the alternatives enough protection? Commission to discuss.

12-06-9(a)(b)

**One America Parking Facility – Indianapolis**

- A (a) *The code required emergency showers, eyewash station, service sink, drinking fountains, lavatories, water closets, and urinals as required by Table 29 will not be provided.* The proponent advises that there will not be any vehicle repairs in the parking garage that would warrant the emergency showers or eyewash stations or any other plumbing fixtures. Similar variances have been approved in the past.
- A (b) *The new open parking garage (S-2 Occupancy) will have a storage room (S-1 Occupancy) of 2,000 sq. ft. within the garage and the code requires that the space must be single use or follow the most restrictive height and area of Table 503 and provide occupancy separations.* The open parking garage construction will follow Table 406.3.5 and be concrete construction. The storage room will be separated by a one hour fire barrier. Similar variances have been approved in the past.

12-06-10

**B Scholars Lofts Apartments – Bloomington**

*There will be R-2 occupancy units below the S-2 occupancy which is not allowed by code. There will be a Type IA – 3 hour rated horizontal floor/ceiling assembly and the Type IA – 2 hour rated vertical assembly to separate the R-2 occupancy from the S-2 occupancy. The R-2 occupancy will be Type VA construction. The 3 hour separation which separates the R-2 occupancy of Type VA construction meets the code for the units above the S-2. The variance is to allow the use of Section 509.2 4., Exception 2 to add the R-2 occupancy. The hardship is the lower level units are necessary to maintain the economic viability of the project and allow direct handicapped accessibility at grade to the R-2 units involved.*

- 12-06-11 CI **Princeton High School – New building– Princeton** Project #343949  
*The calculated occupant load of an Ag classroom will exceed the code allowed maximum for one exit. The proponent advises that they will put a maximum limit on the class to 40 so the code permitted occupant load would never be exceeded. There is a second exit provided through the Ag shop area which is accessory and leads to an obvious and well lit exit to the exterior. This would be permitted according to the code but the inspector views the shop area as a High Hazard area which would not allow this usage. The school is fully sprinklered and has a compliant fire alarm system. The hardship is the cost of \$5,000 to 7,000 to construct a new exit.*
- 12-06-12 C **Detour Brewing Company, LLC – Bloomington**  
*A Chapter 34 analysis is being done on a two story building that is being changed from a retail (M occupancy) to a bar (A-2 occupancy) on the first floor and there is a need for 27 points in order to pass the analysis. The second floor will remain an R-2 occupancy and the basement will house a small brewing operation. The failing score is in the R-2, General Safety. The proponent advises that the building will be provided with one layer 5/8 inch Type X gypsum board to cover the solid wood joists at the basement and first floor ceilings, a 60 minute fire rated door assembly will be provided at the front stair to the basement and emergency lighting will be provided. These improvements are reflected in the scores achieved. The hardship is that, in order to pass the analysis, sprinklers, fire alarm systems and additional drywall would need to be provided and those costs would be excessive for tenant improvements. The existing building is approximately 2,500 sq. ft. per floor. Commission to discuss.*
- 12-06-13 B **North College Ave. Apartments, LLC – Bloomington**  
 Same as 12-06-10.
- 12-06-14 AI **City Way (North of South) Buildings 6 & 7 – Indianapolis**  
*The code required sprinkler system for the rooftop patio will not be provided. The proponent advises that the 2009, 2012 and 2015 International Building Codes do not require this nor does NFPA 13R. The proponent advises that the sprinkler contractor does not think the sprinklers would operate and the exposed sprinklers will be a maintenance issue. Commission to discuss.*
- 12-06-15 AI **City Way (North of South) Buildings 1, 2a, 2b and 8 – Indianapolis**  
 Same as 12-06-14
- 12-06-16(a)(b)(c)(d)(e)(f)(g)(h)(i)(j) **The Axis – Indianapolis**
- AI (a) *The code required emergency showers, eyewash station, service sink, drinking fountains, lavatories, water closets, and urinals as required by Table 29 will not be provided. The proponent advises that there will not be any vehicle repairs in the parking garage that would warrant the emergency showers or eyewash stations or any other plumbing fixtures. Similar variances have been approved in the past.*
- CI (b) *The code required attic access hatch of 20 X 40 inches will not be provided for the attic spaces in excess of 30 inches in height. The proponent advises that these spaces will be intermittent and with the insulation would be very difficult to enter. The oversized*

hatch cannot be fire rated for a fire rated roof ceiling assembly. The hardship is the cost to provide a fire rated access hatch, which the proponent states do not exist, in every apartment and securing the openings so building tenants do not have access to the attic space. How will attic access be provided?

- AI (c) *PVC piping will be used for roof drainage system for the five story mixed use facility rather than the code compliant drainage system.* This is allowed in the proposed new plumbing code and has been allowed in the past.
- C/DI (d) *There will be some residential areas that will have their only exit going through a horizontal exit which the code prohibits.* The residential building is separated from an enclosed parking garage by a fire barrier and that will be the only way to exit from some of the apartment units, either through the fire barrier into the parking garage or other corridors. The dwelling units will be protected with NFPA 13R sprinkler systems and the parking garage will be protected with an NFPA 13 sprinkler system. The parking garage will have enclosed stairs and the other corridors lead to enclosed stair exits. The hardship is the desire to maximize the site and floor area within the building. Commission to discuss.
- BI (e) *The standpipe outlets will be located on the main stair landings rather than the code compliant intermediate stair landings.* The proponent advises that the Indianapolis Fire Department prefers the standpipe hose outlets to be located on the main landings of the stairs.
- BI (f) *The fire walls terminating at exterior walls will have non-rated windows within four feet of the fire wall which is not allowed by code, code requires a minimum of ¾ hour fire rated opening protective's.* The proponent advises that the affected windows will have a sprinkler within twelve inches horizontally of the opening, maximum six feet on center, to provide a water curtain at the opening.
- CI (g) *The code required fire wall separation will not be provided between the parking garage and the apartments.* Instead of the minimum Type IIB construction which is required to be separated from the podium by a three hour fire wall and from the apartments with a two hour fire wall, the proponent will instead provide two and three hour fire barriers of concrete construction. The code requires the fire walls to be structurally independent. The parking garage is protected with an NFPA 13 sprinkler system and the apartments are protected with an NFPA 13R sprinkler system. The hardship is the cost to provide a structurally independent fire wall. Commission to discuss.
- CI (h) *The code required termination of the fire walls will terminate at the 3 hour podium structure rather than extending through the podium and 1<sup>st</sup> floor.* The proponent advises that the 2009, 2012, and 2015 editions of the International Building Code allow the fire walls to terminate at the 3 hour podium structure. The hardship is the difficulty and inefficiency of having the fire walls in the single tenant grocery store. Commission to discuss.
- CI (i) *The clothes dryer vents will exceed the code allowed 25 feet in length.* The proponent advises that they will use an engineered system designed by a professional engineer. They do not give the length of the length of the vents or any information about the engineered system. The hardship involves the location of the dryers within the building and the code limitation on the maximum length allowed for the exhaust duct. Commission to discuss.

- CI (j) *The new mixed use building having apartments, retail, possible business use, and a parking garage will be provided with an NFPA 13R sprinkler system in the apartments. The building is five stories and 67 feet in height, but the code allows only four stories and a maximum of 60 feet.* The proponent advises that most of the building involves a podium structure constructed of Type IA construction and the 4 stories of Type VA construction above. The apartment floors will have fire walls providing compartmentation which will also qualify as horizontal exits, reducing travel distance and increasing exit capacity. The dwelling units will be separated from each other with a one hour separation. The owner's undue hardship involves the cost to provide an NFPA 13 sprinkler system for the residential levels, including concealed spaces such as floor construction and attic. What is the cost? Commission to discuss.

- 12-06-17(a)(b) **Gibson County Fair – Multi-purpose Pavilion – Princeton** Project #262056
- CI (a) *The 1998 Indiana Building Code did not permit an A-2.1 to be built of V-B construction.* The request is to allow the existing building of 38,125 sq. ft., of which 32,500 sq. ft. is Type IIB construction and 5,625 sq. ft. is Type VB construction, is over area per the 1998 Indiana Building Code for an A-2.1 (Type IIB and VB construction is not permitted) and the building is not sprinklered. The building is used for livestock shows, tractor pulls and similar exhibitions and as a backup for the outdoor concerts (which has happened once in ten years). In the 250' side that consists of overhead doors, the doors are always locked open whenever the building is in use. There is limited seating for most events, some temporary grandstands or the side that is all overhead doors and some folding chairs. There is no permanent seating. The hardship is the approximately \$139,000 cost to sprinkle the building which is far beyond the means of this non-profit group.
- CI (b) *There were no compliant exit doors installed at the time of construction, but there are numerous overhead doors that are locked in the open position whenever the building is used.* The building is 38,125 sq. ft., of which 32,500 sq. ft. is Type IIB construction and the remaining 5,625 sq. ft. is Type VB construction. The building is used for livestock shows, tractor pulls and similar exhibitions and as a backup for the outdoor concerts, (which has happened once in ten years). In the 250' side that consists of overhead doors, the doors are always locked open whenever the building is in use. There are also doors in most of one of the 130' walls and an overhead door in the other 130' wall. The floor is dirt and there is no storage in the building. The cost to install the required exit doors, including panic hardware, exceeds \$35,000, which is far beyond the means of a non-profit organization. In addition there is no place to put the exit doors that would not end up closing off access to the space needed for the horse and other animal shows, tractor pull, etc.
- 12-06-18 DI **Woodburn Graphics, Inc. – Terre Haute**  
*The elevator's hydraulic cylinder does not comply with the 2003 Indiana Elevator Safety Code.* The proponent cites a cost hardship.
- 12-06-19 CI **Morgan Foods – 2012 Addition – Austin**  
*The new 101,932 sq. ft. addition to the existing S-2 will be fully sprinklered, but will be attached to the existing building that will not be sprinklered, which will put the building*

*over area for a non-sprinklered building.* The proponent advises that the existing building will not be sprinklered until such time as it is can be demolished or have sprinklers added. The building has a 4 hour masonry fire wall and several full height heavy masonry walls which act as fire barriers between certain areas. The facility is for the production of canned food products stored in metal cans. The owner is in the process of expanding and upgrading the existing building over a several year period. Upon completion of the addition, the portions which remain unsprinklered are two food processing areas, a maintenance office area, and a number of remote storage buildings as indicated on the attached drawing. Some of these buildings are scheduled for demolition and will be replaced with fully sprinklered additions. The areas remaining will be upgraded to be fully sprinklered as those areas are renovated.

- 12-06-20      DI      **Dollar General Store – Terre Haute**      Project #357198  
*The code required openings in each 50 linear feet or fraction thereof, in buildings in excess of 1,500 sq. ft., will not be provided.* The proponent advises that the storefront is 21' wide and offers unlimited access. The center of the 80' building keeps first responders within 40' of the farthest wall. There are two 21 sq. ft. openings provided through double bi-parting doors, which are breakaway doors, in the center of the front of the building. The hardship is that the building was designed for floor plan efficiency and to add the extra doors would impede the security of operation.
- 12-06-21      AI      **904 S. Madison St. – Bloomington – Windows**  
*The emergency escape and rescue windows do not meet the requirements of the code.* The code calls for the windows to have a minimum openable area of 5.0 sq. ft., a minimum openable width of 20" and openable height of 22". The current windows are 3.63 sq. ft., have a width of 25.5" and a height of 20.5".
- 12-06-22(a)(b)(c)(d)(e)(f)(g)(h)      **Miller's Merry Manor – Assisted Living Facility – Mooresville**      Project #303181  
 CI      (a) *The building exceeds the code's allowable area for Type VA construction by approximately 28% on the largest single floor if considered separated occupancies (I-1 and A-2 occupancies), and the A-2 fore are exceeds the allowable 2 stories in height (3 stories actual).* The proponent advises that the center core area of the building, which includes the dining area on the 2<sup>nd</sup> floor, is separated from each of the 2 residential wings by a 1 hour fire partition. The building is fully sprinklered per NFPA 13R and is not eligible for area or height increases by use of the sprinkler system. The 3 story building was designed in 2004 and was classified as an R-1 and I-1 occupancy of Type VA construction per the 2003 IBC. The proponent advises they will offer the following items: the sprinkler system will be extended into the entire attic, the screened-in porches/balconies, and the front canopy. The 2<sup>nd</sup> floor dining room has an exit directly to the exterior due to the sloping grade which adjoins the 2<sup>nd</sup> floor at the back of the building. The first floor center core exits directly to the exterior at grade. The hardship is the cost to install a full NFPA 13 sprinkler system due to the extent of demolition. What is the cost?
- B/CI      (b) *The 3 story opening which includes a monumental stair connecting the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors in the center core does not comply with any of the exceptions of Section 707.2 for*

*an unprotected floor opening.* The building is protected with an NPFA 13R sprinkler system and a sprinkler curtain will be added at the floor opening on each level, consisting of closed spaced sprinklers 6 feet on center. Smoke detectors will be provided in the center core area through which the means of egress passes, including all of the rooms open to the center core. The 2<sup>nd</sup> floor dining room has an exit directly to the exterior due to the sloping grade which adjoins the 2<sup>nd</sup> floor at the back of the building. The first floor center core exits directly to the exterior at grade. The residential wings have access to an exit without entering the center core of the building. The hardship is the cost to upgrade the floor opening to comply with atrium requirements and the enclosing would create an operational and functional hardship. What is the cost?

- CI (c) *There are a total of 6 rooms located on the 3<sup>rd</sup> floor within the center core and the egress from these rooms is not into a complying 1 hour corridor.* The smoke detectors in the center core will be tied to the fire alarm system. The maximum length of exit travel through the center core to reach the 1 hour corridor from the 3<sup>rd</sup> floor residence rooms is 45 feet. The hardship is the enclosing of the 3<sup>rd</sup> story balcony would be an operational and functional hardship. How is it a hardship?
- CI (d) *The 1 hour corridors in each of the residential wings on the 3 floors discharges into the center core which is not fully fire rated and/or is a room in lieu of a corridor, and the code does not permit a fire rated corridor to be interrupted by an intervening room or egress through a corridor with nonrated openings.* The center corridor has accessory functions which include residence rooms, the dining room, hair salon, administrative functions and the 1<sup>st</sup> floor lobby. The same alternatives as previously mentioned, including the 45 feet travel distance from the residential units to the residential wings and a 60 foot travel distance to a 1 hour corridor on the 2<sup>nd</sup> and 3<sup>rd</sup> floors, are being offered. Why can't the center core be rated?
- CI (e) *The exterior screened in porch/balconies are not entirely 1 hour construction as required by code for Type VA construction.* The proponent advises that they will extend the sprinkler system to cover the balconies/porches which will make the lack of 1 hour construction for these elements not adverse. The hardship is due to the demolition of the occupied areas involved in the necessary remedial construction and the cost to upgrade the balconies is prohibitive.
- CI (f) *The doors to the laundry rooms open directly into the 1 hour stair enclosure which is not permitted by code.* The proponent advises that they will upgrade the doors to the laundry rooms to a minimum 60 minute rating as required for egress openings into a stair enclosure. The building is protected with an NFPA 13R system including the laundry rooms. The hardship is there is insufficient space to separate the stair enclosure from the laundry rooms and to comply would involve the relocation of the laundry rooms to other areas of the building.
- CI (g) *The code required draft stops to subdivide the floor assemblies into maximum areas of 1,000 sq. ft. in the nonresidential portions of the building will not be provided.* The proponent advises that the floor assemblies are 1 hour rated as required. The lack of floor draft stops will not be adverse based upon the 1 hour rating for the floor assemblies and the sprinkler protection in the spaces below the floor assemblies. The hardship is the demolition of the occupied areas involved in the necessary remedial construction and the cost of providing draft stops is prohibitive. What is the cost?

CI (h) *The existing PVC sprinkler trunk line connecting the corridor and the laundry rooms penetrates the 1 hour stair enclosure and since the line does not directly serve the stairway, the penetration is not permitted by code.* The hardship is the cost to re-route the sprinkler piping in the occupied building and disturbing the occupied areas. What is the cost?

12-06-23 A **Klipsch Building – Indianapolis**  
*The code required emergency showers, eye wash stations, drinking fountains and service sinks will not be provided.* This is an S-1 occupancy warehouse of 3,600 sq. ft. The proponent advises that a portion of the site that this building will be constructed on does not have water or sewer. The proponent advises that the warehouse is used to store speakers and there is no use of hazardous materials. The building adjacent to the warehouse has drinking fountains and/or bottled water supplied to employees which is less than 500 feet from the proposed building. The hardship involves the cost to provide water and drainage to the new building.

12-06-24 BI **Wild River Nursery – Structure – Fishers** Project #356543  
*The permanent greenhouse structure of 1,410 sq. ft. (2,016 sq. ft. per Plan Review) is within 490 feet from the nearest fire hydrant.* The proponent was advised that there must be a fire hydrant within 400 feet of the structure. The project was released by Plan Review as an “M” occupancy.

12-06-25 CI **Highland Lakes Baptist Camp – New Cabin – Martinsville** Project #357182  
*The code required sprinkler system will not be provided for the new camp cabin structure.* The cabin is classified as an R-1 occupancy and of Type VB construction. The cabin will be 2,400 sq. ft. with 4 sleeping rooms. The proponent advises that there will be 2 exits to the exterior as well as exterior windows meeting the emergency escape and rescue requirements. There will be interconnected smoke detectors in each sleeping room and the main lodge room. The maximum exit travel distance will be approximately 56 feet. The cabins will be serviced with electricity, with thru wall heating and cooling and no other utilities. There will be no cooking other than in microwaves. The site is served by well for domestic water.

12-06-26 C **Esplanade Annex – Renovation – Indianapolis**  
*The existing 9 unit 2 story with basement R-2 occupancy building is undergoing renovation and will have 6 units when completed and as part of the renovation 2 existing stairs will be replaced with 2 new 6’ 6” wide spiral stairs which is not allowed by code.* These stairs will serve as the second means of egress from the units. The code only allows spiral stairs within individual dwelling units. The proponent advises that the building will be sprinklered with an NFPA 13R system. The spiral stairs will be enclosed in a 1 hour enclosure; the existing stairs were not enclosed. The hardship is the need to upgrade the existing stairs as the rise of the stairs is very steep and unsafe. To construct compliant stairs would require demolition of the floor and reducing the size of the dwelling units. Will the stairway also be sprinklered?

- 12-06-27 CI **Liberty Mills Church of the Brethren – Liberty Mills** Project #352416  
*The code required sprinkler system will not be provided for the church addition. The calculated occupant load in the sanctuary is 272 according to the local fire official who calculated the space at 18" per person in the pews. The addition to the building is 20' X 51' 6". This addition is for classrooms and installing a lift to assist members in accessing the ground level and 2<sup>nd</sup> level of the church. The hardship is the cost to comply with the sprinkler system requirement and there is no city water available. The fire department advises that they are not opposed to this variance. The actual square footage is 2,126 sq. ft. and the existing structure is 10,520 sq. ft. per Plan Review.*
- 12-06-28 C **Saddle Up Saloon and Dance Hall – Indianapolis**  
*The area of the existing former bar and the former karate school will be joined together to make one A-2 tenant space of Type IIB construction which will be over area by approximately 40%; total tenant space will be 16,800 sq. ft. The proponent wants to be able to utilize the current existing fire walls to continue to define the limits of the building as indicated. The remaining two tenants in the 3,600 sq. ft. left in the building will be a "B" and "M" occupancy. The tenant space is sprinklered throughout with an NFPA 13 system. The tenant space is separated from the adjacent tenant spaces to the north with new two hour fire barriers and an existing 2 hour fire wall separates the new tenant from the rest of the complex to the south. A Type I hood with suppression system will be provided as required. The tenant space is at grade level. The hardship is the creation of a new structurally independent fire wall in the building would disrupt existing tenants and be cost prohibitive. What is the cost? Can the existing sprinkler system be up graded to a higher density?*
- 12-06-29 Withdrawn
- 12-06-30 C **Tenth and College Horizons Apartments – Indianapolis** Project #355000  
*The exterior egress balconies are not at least 50% open along the length of the walkways as required by code. The building is protected throughout with an NFPA 13R sprinkler system. A sprinkler will be located within the unit at the ceiling level within 24 inches horizontally of each exterior opening that faces the exterior walls of other units in lieu of an open side of the balcony. The hardship is the use of fire rated window openings would eliminate openable windows in the location noted, which would be an operational and functional hardship for tenants.*
- 12-06-31(a) CI **Cesar's Group Fitness Studio, LLC – Indianapolis**  
 (a) *An existing 59,209 sq.ft Type VN (VB) construction retail center will undergo a change of occupancy from a "B" to an "A-3" occupancy which will put the building over area for the construction type; code allows 10,500 sq. ft. The proponent advises that the space will be separated from the remainder of the building with 2 hour fire barriers. There is an existing 2 hour fire barrier and, as part of the scope of the project, the existing 1 hour wall will be upgraded to a 2 hour fire barrier. The owner's hardship is the cost to sprinkler the building or to provide fire walls for a building that was constructed in 1990. What is the cost?*  
 (b) **withdrawn by proponent.**

- 12-06-32      A      **1010 Central Ave. – Indianapolis**      Project #352949  
*PVC piping will be used for the roof drains of the new 4 story R-2 occupancy apartment building which is not allowed by the current plumbing code. The use of PVC is allowed in the proposed new 2012 Indiana Plumbing Code for this purpose. This has been approved in the past.*
- 12-06-33(a)(b)      C      **Rushton Apartments – South Bend**  
 (a) *The separation between the existing egress stairs and the exit into the proposed new enclosed egress stair will not comply with code. The separation will be approximately 22% of the overall diagonal of the existing building rather than the code minimum of 1/3 of the diagonal. The project involves the renovation of the existing historic 4 story apartment building. The addition will be the new enclosed egress stair and an elevator. The building, constructed in 1906, has been vacant since 2002. The building has been under court order demolition for a number of years. The building will be renovated through use of historic tax credits and with cooperation between the South Bend Heritage Foundation and Indiana Landmarks. The building will be protected with an NFPA 13R sprinkler system. The new 2 hour enclosed stair will replace an existing stair/fire escape in approximately the same location. The maximum travel distance to an exit will be approximately 90 feet and the code permits 250 feet. The hardship is the site does not permit the construction of a new stair outside the building footprint in any other location.*  
 C      (b) *With the addition of the new dryer vent openings the exterior openings on the west exterior will marginally increase the percentage of openings by just over 3%. The space adjoining the building to the south is a parking lot with no existing fire exposures. The hardship is the constructing of a shaft for a vertical dryer vent riser would add complication and cost to the HVAC design and displace interior space within units.*
- 12-06-34      NVR      **Delaware County Fairgrounds – Press Box – Muncie**      Project #357514  
*The new elevated press box will not comply with the energy code. The proponent advises that the press box will be for use during the fair and will not have conditioned air. The energy code does not cover non-conditioned areas, therefore no variance is required.*
- 12-06-35(a)(b)      C      **KFJ Group – Remodel – Indianapolis**  
 (a) *The code required sprinkler system will not be provided for the 2<sup>nd</sup> floor lounge and game room area exceeding 750 sq. ft. that is classified as an "A" occupancy within an existing storage building, that has no windows. The proponent advises that this area will be used by the owner and friends and will include a lounge, game room and bar area. The 2<sup>nd</sup> story will be approximately 2,300 sq. ft. in area. The 1<sup>st</sup> floor, approximately 4,800 sq. ft. in area, is currently used by the owner to store personal effects such as vehicles, boats, etc. The 1<sup>st</sup> floor is also has a separate B occupancy tenant of approximately 2,400 sq. ft. The space will not be used by the public or any employees and the space will not be rented out to outside groups. The existing cmu wall separating the space from the adjacent B occupancy tenant will be upgraded to a 2 hour occupancy separation. The 2<sup>nd</sup> floor will be occupied by less than 50 occupants. The maximum egress distance from the 2<sup>nd</sup> floor will be 90 feet, code permits 200 feet. The 2<sup>nd</sup> floor will be completely open to the space below except for the restroom. A railing will be*

provided along the edge of the 2<sup>nd</sup> floor, essentially functioning as a mezzanine. The cost of the sprinkler system would render the project not feasible. What is the cost?

- D (b) *The 2<sup>nd</sup> floor to be constructed within the existing storage building will have an occupant load exceeding 10, requiring one of the 2 egress stairs to be enclosed and this will not be done.* Both stairs will remain unenclosed. The 2<sup>nd</sup> story will be approximately 2,300 sq. ft. in area. The hardship is that the enclosure of one of the stairs would detract from the openness of the design.

- 12-06-36 CI **Steve Green Building – Pekin** Project #357653  
*The code required sprinkler system will not be provided for the combination S-1, B and R-3 occupancy of Type IIIB construction. The S-1 is an auto shop and storage area, the B is for the office and the R-3 is for the apartment. The building is 5,600 sq. ft. on the 1<sup>st</sup> floor and the 2<sup>nd</sup> floor is 850 sq. ft. The apartment has an exit directly to the exterior and the bedroom has an operable window meeting the emergency escape and rescue requirements. Interconnected smoke detectors will be provided in the bedroom and in the area immediately outside the bedroom. The maximum travel distance will be 40 feet and code allows 200 feet. A 2 hour separation will be provided between the apartment and the rest of the building. The hardship is the property is served by a well for water supply.*
- 12-06-37 B **Porter – VOC – Renovations – Valparaiso**  
*A 2 hour fire barrier will be provided in lieu of the code required structurally independent fire wall, to separate an addition from the adjoining outpatient medical facility. The proponent advises that the 2 hour fire barrier will meet the separation requirements of NFPA 101 Life Safety Code for separation in health care occupancies. The adjoining and existing buildings to which the addition is made will be protected with automatic sprinklers. The fire barrier will in part utilize existing exterior walls and it is not practical to achieve structural independence while utilizing existing construction.*
- 12-06-38 BI **IU Health Ball Memorial Hospital – Endo, Histology, MEP Infrastructure – Muncie**  
*The duct penetrating one floor level will not be enclosed in a shaft as required by code. The Endo area is on the 2<sup>nd</sup> floor, Histology is on the 3<sup>rd</sup> floor and the MEP is on multiple floors. The duct penetrates a room serving only mechanical space above endoscopy. The duct penetrates the floor and immediately enters an air handler unit. There will be a 90 minute listed fire damper assembly installed at the 2 hour floor where the duct penetrates the floor assembly. Upon completion of the unrelated project on the lower level, in July, the building will be fully sprinklered. The hardship is that the shaft cannot be installed on the 4<sup>th</sup> floor due to there being no clearance between the top of the floor and the bottom of the air handler unit served by the duct.*
- 12-06-39(a)(b) CI **County Line Church of God – Worship Space Addition – Auburn**  
*(a) A 2 hour fire barrier will be utilized to separate the new worship space addition from the existing building in lieu of the code required fire wall. The project includes a worship space addition of approximately 27, 150 sq. ft. and an administrative addition of approximately 1,850 sq. ft. to the former worship space, which will be minimally renovated and converted for use as a multi-purpose assembly area. The proponent advises that the worship space will be sprinklered throughout and the addition will be*

structurally independent of the existing building. Openings in the fire barrier will be sprinkler protected openings as described in variance (b). The hardship is the cost to provide structurally independent fire walls for the length and height of the addition.

- CI (b) *The openings in the 2 hour fire barrier separating the new worship space from the existing building will not be fire rated assemblies as required by code.* The openings will include overhead doors that can be open or closed depending on the event taking place and glazed openings between the new addition and the administrative area. The proponent advises that the worship space addition will be sprinklered throughout and there will be closed spaced sprinklers provided along the wall at the nonrated openings – the sprinklers will be spaced 6 feet on center and will provide a minimum 3 gpm per lineal foot of discharge along the wall. The hardship is the communicating openings are desired between the addition and the existing building.

12-06-40

CI **OSMC Offices and Storage – Renovation – Elkhart**

Project #357706

*The current sprinkler system is not required for the new occupancy of the building after the change of occupancy and the proponent wishes to not maintain the system as active but just leave it in place rather than remove it as required by code.* The structure was an “M” occupancy, grocery store, of 29,681 sq. ft. which required the sprinkler system. The new occupancy will be 7,766 sq. ft. “B” occupancy, office, and 21,681 sq. ft. “S-2” occupancy for cold storage. The proponent advises that they have spoken with the local fire department in Elkhart and they do not have a problem with them leaving the system in place so long as they install a sign stating that the system is not fully operational. The hardship is the new occupancy will have drop ceilings in part of the building and that would require them to lower the sprinkler heads through the new ceiling. Also the cost to remove the system is cost prohibitive. What is the cost to remove it? What is the cost to maintain the system?

12-06-41

CI **The Warehouse by the Family Center – Bloomington**

*The request is to modify the previous variance, 11-12-40 (Family Life Center), to permit occasional assembly functions in the existing warehouse portion of the building.* The building is an existing warehouse-industrial-business occupancy of approximately 205,000 sq. ft. that is being changed over to a not-for-profit entity into a multi-use community center for recreation, educational and other uses consistent with a family center mission. The current requested use is for the unfinished warehouse space, without bringing the building into compliance entirely with current codes and for a duration of time until permanent build out of the building interior. There is another variance for this project, 12-04-28, for permanent change of occupancy. The proponent advises that the building is sprinklered, has a fire alarm system, will have a means of egress to accommodate the required egress capacity and numbers of exits for the proposed uses and a fire watch will be provided for any events with an occupant load of 300 or more. The hardship is that the funds are donations and the pace of funding does not permit completion of the entire building, while there is ongoing need to utilize the available space for sports and other functions. How much of the unfinished space will be used for assembly purposes? No floor plans were provided to show exiting.

- 12-06-42(a)(b)      **Epworth United Methodist Church – Phase 1 Expansion – Indianapolis**
- CI      (a) *The existing church, of approximately 29,500 sq. ft. Type III-b construction, will be put into further noncompliance with the non-separated addition of approximately 3,000 sq. ft. which is not allowed by the code.* The code requires that the addition be separated by a structurally independent 4 hour fire wall. The proponent advises that the new addition and existing lobby will be protected by a new automatic sprinkler system and will be separated from the rest of the building by a 1 hour fire barrier with 45 minute doors and non-rated glass window and door assemblies protected by close spaced sprinklers. The new addition will be of Type II-B construction. The hardship is the difficulty to provide a structurally independent fire wall with protected openings between the new addition and the existing nonsprinklered building.
- CI      (b) *The existing church, of approximately 29,500 sq. ft. will have a non-separated sprinklered addition with a fire area of approximately 3,000 sq. ft. The code requires the existing building fire area and the new addition to be sprinklered or the new addition be separated from the existing fire area by a 2 hour fire barrier.* The proponent advises that the new addition and existing lobby will be protected by a new automatic sprinkler system and will be separated from the rest of the building by a 1 hour fire barrier with 45 minute doors and non-rated glass window and door assemblies protected by close spaced sprinklers. The new addition will be of Type II-B construction. The hardship is the cost and difficulty of providing a 2 hour fire barrier between the new addition fire area and the existing nonsprinklered building fire area. What is the cost of the 2 hour fire barrier?
- 12-06-43      **Electro-acoustic Sound Lab – Smoke Detector – Indianapolis**
- CI      *The sprinkler heads required to be installed as part of the regular sprinkler system will not be installed in the sound lab.* The sound lab is for sound proof testing in the research and development labs. The vibrations from the sprinkler piping would compromise the integrity of the sound measurements. The sound lab is constructed of a steel shell with a steel door and bullet resistant glass windows. A similar sound lab in the building was allowed to not install the sprinkler heads but instead install smoke detectors that are integrated into the alarm system. The proponent will do this same installation for this room. The hardship is that the sound levels in the test chamber are critical to its measurement capabilities, creating an acoustically isolated space requires massive walls and exceedingly good acoustical isolation. Any mechanical connections between the room and the surrounding building create a vibrational transmission path that will compromise the acoustic structure. Who “allowed” the other sprinkler deletion?
- 12-06-44      **Wawasee Middle School – Syracuse**      Project #356182
- AI      *The existing sprinklered unlimited area school will have the sprinkler heads removed from the pool area, including the above the swimming pool, deck areas and spectator seating.* The code does not recognize these areas for permissible fire suppression omission, thus requiring the sprinklers. The proponent advises that the remainder of the school will still be protected by the sprinkler system. The pool area has a very low fuel load and the seating will be made of aluminum and concrete construction. The entire building is Type IIB construction. The hardship is the difficulty to maintain the sprinklers in this harsh environment. Similar variances have been approved in the past.

- 12-06-45(a)(b) **St. Vincent Fishers Hospital – Inpatient Expansion – Fishers** Project #354598
- C (a) *The code required pair of smoke barrier doors that are required to be double egress will swing only in one direction instead of the code required two.* The proponent advises that the owner wishes to secure the area to allow only employees access to the area and they cannot do that if the doors swing each way as the code requires.
- C (b) *There will be corridors on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the new hospital that will have 30 foot dead end corridors which are not allowed by code to be over 20 feet.* The proponent says that NFPA 101 permits this distance. The hardship is the inconvenience of providing additional doors across the corridors to reduce the 10 feet. Why was this not designed correctly to begin with or redesigned to correct since this is a new building?
- 12-06-46 **Thermoplastic Division – Addition – Goshen** Project #356855
- A *The existing 3 hour fire wall that separates portions of the existing building with different roof heights does not extend 30 inches above the lower roof as required by code.* The fire wall extends above the lower roof for a distance ranging from 6 inches to 30 inches due to the slope of the lower roof. The project involves an addition of 22,330 sq. ft. and the existing fire wall will separate the addition plus an existing building area of 24,400 sq. ft. from the remainder of the existing building. The fire wall is used to realize the allowable building area for the addition plus the existing building area. The proponent has obtained an interpretation from the International Code Council and a copy is attached to the file. The addition will be protected with a sprinkler system and the existing building is protected with a sprinkler system. The hardship is the cost to extend the existing fire wall to a point 30 inches above the lower roof.
- 12-06-47 **Woolery Mill – Bloomington**
- B *The existing 79,000 sq. ft. building will be used as an A-2 occupancy for one day each year without bring it up to the code for an A-2.* The proponent advises that the building was used in limestone manufacturing and has not been upgraded since. The proponent states that the building is of noncombustible construction, but there is a picture of a wooden garage door in the file. There will be no cooking done inside the building and the overhead doors will be locked in the open position at all times the building is occupied. The Bloomington Craft Brewers Festival will have approximately 2,500 participants and will occur on June 9, 2012 between the hours of 3 and 7 p.m. All participants will be at least 21 years of age. All bathrooms will be outside of the building. The hardship is that it is not feasible to bring the building into compliance for a one day event. Who will determine the safety of the structures?
- 12-06-48 **Carmel City Center – Encore Celebration Gala – Carmel**
- B *The existing sprinklered parking garage of Type IIA construction will be used as a temporary A-2 assembly use for a fund raising Gala for The Center for The Performing Arts. The GAR does not allow a change of character or use of any building unless the building complies with the current rules of the Commission for new construction.* The applicant has offered to undertake several alternatives. Are they sufficient to protect the public with this type of use? The hardship is finding a suitable place to have the fund raising event that would also protect the attendees from the weather. Commission to discuss.

- 12-06-49      B      **Ryker Reserve – Fort Wayne**      Project #357541  
*The addition to the R-2 senior housing will follow the International Energy Conservation Code rather than the Indiana Energy Conservation Code, based on ASHRAE 90.1, 2007 Edition. This will be for Chapter 4 for the residential provisions. The project involves an addition of 57,500 sq. ft. and conversion of an existing 2 story building of 31,520 sq. ft. for use as senior housing. Similar variances have been submitted and approved by the Commission in the past. The hardship is there is a cost savings for residential development without sacrificing energy efficiency.*
- 12-06-50      A      **First Watch Restaurant – Indianapolis**      Project #356888  
*A previous restaurant space is being remodeled to maintain the restaurant tenant of 4,059 sq. ft. The space was a restaurant from 1987 to 2007 and has been vacant since. The project is a tenant finish of the 1<sup>st</sup> floor of a building with several levels of open parking garage above. The proponent states that the previous tenant had an occupant load of 3 fewer than the proposed will have. The project does not involve a change of occupancy, addition or increase in tenant space. The two exits will be maintained as before. The hardship is the cost to install the sprinkler system.*
- 12-06-51      CI      **Ball State University Museum of Art Renovation – Muncie**  
*Delayed egress locks are being provided on exit doors from the exhibit spaces, which is not allowed by code in "A" occupancies. The proponent will undertake alternative actions. Are the alternatives enough to protect the people in the facility? The hardship is the use of the locks is a necessary deterrent to prevent theft of valuable artifacts from the museum. Commission to discuss.*
- 12-06-52      CI      **Bottling Group. LLC – Indianapolis**  
*An existing S-1 warehouse has existing circuit panels on one wall and two new panels mounted on a column and are not protected as required by code, from physical damage. The code requires guards or enclosure protection of these circuit panels when located in an area that is likely to be subject to physical damage. The proponent advises that these panels are not in a normal fork lift operating area. The power from these panels power proprietary equipment for the tenant and not associated with the building power supply. The owner provides training for the fork lift operators. The hardship is the cost to provide the enclosures or guards around the circuit panels. Commission to discuss.*
- 12-06-53      CI      **Kunkel Square Apartments – Evansville**      Project #354596  
*The 12<sup>th</sup> floor of the building will not comply with the IBC for means of egress requirements to permit the use of Chapter 34 and the proponent wishes the floor to be considered an unoccupied space. There was a related variance (12-05-52) that was denied by the Commission at the May 2012 Commission meeting. The proponent is submitting more information for the Commission to reconsider the variance. This is a 12 story former office building with an A-2 occupancy in the basement and floors 2 through 11 are being converted to an R-2 occupancies. The building is Type IB construction. Floors 1 through 12 are 5,520 sq. ft. per story and the basement is 7,194 sq. ft. The proponent advises that the 12<sup>th</sup> floor has headroom of approximately 6 ft. that does not comply with the IBC requirement for occupiable space, the existing personnel door to the*

12<sup>th</sup> floor from the interior will be removed and replaced with an access hatch complying with the minimum size requirements for attic access and will not be accessible to the residents. The existing sprinkler will be brought into compliance with the current edition of NFPA 13 for the entire building. The hardship is extending the existing exterior stair to the 12<sup>th</sup> floor. The cost to implement this solution is exacerbated by the requirement to bring the existing stair into compliance with current code as a consequence to extending the stair to the 12<sup>th</sup> floor. What are the costs?

12-06-54

AI

**Centerville Jr. and Sr. High School – Re-roof**

*The old roofs will not be completely removed as required by code in this reroofing project.* There are currently two layers of roofing on the buildings and the proponent will only remove one layer before reroofing the building. The proponent advises that they will check the entire layer of roofing left on the building to see if there are areas that need to be repaired or replaced prior to putting on the new layer of roofing. The existing roof composition weighs, on average, 4.5 pounds per square foot and the new roof will be, on average, 5.5 pounds per square foot. The hardship is the cost to remove the entire roofing layers. Similar variances, numbers 09-08-17 and 10-02-17, were granted in the past.

12-06-55

CI

**The Flats – Terre Haute**

Project #356779

*The code required NFPA 13R sprinkler system will not be provided for this apartment.* The proponent advises that they will install an NFPA 13D sprinkler system. They advise that they do not have enough water supply in the structures at this time to support the NFPA 13R system. They advise the hardship is the cost to install the water lines and provide the exterior utility room. They also advise that they barely have adequate water to support the NFPA 13D system. Why is there just barely adequate supply to support the 13D system when that was the original plan? What is the cost to comply? Commission to discuss.